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Applicant: Zechner
Appl. No.: 10/697,982
Filing Date: January 30, 2004
U.S. Patent No.: 7,142,297
Issue Date: October 31, 2003
Title: METHOD FOR SIMULATING THE MOVEMENT OF PARTICLES
Attorney Docket No.: SYNP 0439-1
Pub. No.: US 2005/0094141 A1
Pub. Date: May 5, 2005

This is in response to the "Request for Corrected Publication under 37 CFR 1.221(b)," which was received on October 18, 2006, for the above-identified application.

The request is DISMISSED.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.¹

The request for corrected publication received on October 18, 2006, was not timely filed under 37 CFR 1.221(b).

Since the application has already issued as U.S. Patent No. 7,142,297 on November 28, 2006, the request is deemed moot.

Inquiries relating to this matter may be directed to Mark Polutta at (571) 272-7709.

Mark O. Polutta
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy

¹Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).